



SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application
COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEM AND METHOD FOR 3-D DIGITAL RECONSTRUCTION OF AN ORAL CAVITY FROM A SEQUENCE OF 2-D IMAGES.**

The specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

No such claim for priority is being made at this time.

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number
60/199,913

Filing Date
April 26, 2000

Status
Provisional



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Application Number
60/199,913

Filing Date
April 26, 2000

Status
Provisional



Attorney Docket No. 1160.012US1

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

United States Patent Application
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Application Number
60/199,913

Filing Date
April 26, 2000

Status
Provisional

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Attorney Docket No.: 1160.01ZUS1
Serial No. not assigned
Filing Date: not assigned

§ 1.56 Duty to disclose information material to patentability.

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- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Attorney Docket No.: 1160.012U31
Serial No. not assigned
Filing Date not assigned

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Huck, John L.	Reg. No. 36,154	Nielson, Walter W.	Reg. No. 35,529
Arick, Donald	Reg. No. 42,267	Harris, Robert L.	Reg. No. 37,346	Padys, Danny J.	Reg. No. 35,635
Bashman, Marvin L.	Reg. No. 38,377	Hill, Stanley K.	Reg. No. 37,548	Parter, J. Kevin	Reg. No. 59,024
Blanchi, Timothy E.	Reg. No. 39,610	Jackson Huesch, Katherine A.	Reg. No. 47,670	Perdik, Monique M.	Reg. No. 42,929
Billion, Richard E.	Reg. No. 32,826	Jakovitch, Paul J.	Reg. No. 44,813	Petrucha, David C.	Reg. No. 47,857
Black, David W.	Reg. No. 42,331	Kahn, Jacob M.	Reg. No. 37,650	Pohat, William F.	Reg. No. 33,995
Brenner, Leonidas M.	Reg. No. 35,832	Klein-Silberg, Catherine I.	Reg. No. 40,052	Schauma, Sherry W.	Reg. No. 39,422
Burrows, Thomas F.	Reg. No. 35,075	Kluth, Daniel I.	Reg. No. 32,146	Schwegman, Michael L.	Reg. No. 25,816
McGee, Edward J., III	Reg. No. 40,928	Levy, Rodney L.	Reg. No. 41,136	Scott, John C.	Reg. No. 38,613
Chadwick, Robin A.	Reg. No. 36,477	Leisner, Charles A.	Reg. No. 36,198	Smith, Michael G.	Reg. No. 43,368
Clark, Barbara J.	Reg. No. 38,107	LeMoine, Dana B.	Reg. No. 40,062	Speller, Gary J.	Reg. No. 45,458
Cline, Timothy B.	Reg. No. 40,937	Lundberg, Steven W.	Reg. No. 30,568	Steffey, Claude E.	Reg. No. 25,179
Dahl, John M.	Reg. No. 44,639	Maki, Peter C.	Reg. No. 43,832	Stordal, Leif T.	Reg. No. 46,251
Dubin, Eduardo E.	Reg. No. 40,594	Malen, Peter L.	Reg. No. 44,894	Terry, Kathleen R.	Reg. No. 31,884
Eisenstron, Janet E.	Reg. No. 39,665	Matta, Robert E.	Reg. No. 35,271	Tong, Viet V.	Reg. No. 45,416
Ferdenbecker, Paul J.	Reg. No. 42,546	McCracken, Ann M.	Reg. No. 42,858	Vikimist, Ann S.	Reg. No. 37,745
Foster, Bradley A.	Reg. No. 30,837	Moore, Charles L., Jr.	Reg. No. 33,742	Vogel, Peter J.	Reg. No. 41,963
Gannon, Owen J.	Reg. No. 36,149	Nanna, Kash	Reg. No. 44,233	Wocamer, Warren D.	Reg. No. 30,440
Gershy, Joseph E.	Reg. No. 41,791	Nelson, Albin J.	Reg. No. 28,650		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/has sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402
Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: **Aly A. Farag**
Citizenship: United States of America
Post Office Address: 1703 Golden Leaf Way

Residence: Louisville, KY

Signature: 

Aly A. Farag

Date: 4/26/01

Full Name of joint inventor number 2: **David Tasman**
Citizenship: United States of America
Post Office Address: 1816 Kline Ct.
Louisville, KY 40205

Residence: Louisville, KY

Signature: David Tasman

Date: _____

X Additional inventors are being named on separately numbered sheets, attached hereto.

Amended Drawing No.: 1160.012151
Serial No. not assigned
Filing Date: not assigned

Page 2 of 4

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Anglin, J. Michael	Reg. No. 24,916	Frank, John L.	Reg. No. 36,154	Wolman, Walter W.	Reg. No. 25,630
Arora, Subodh	Reg. No. 42,267	Harris, Robert J.	Reg. No. 37,346	Padua, Danny J.	Reg. No. 35,635
Beckman, Marvin L.	Reg. No. 38,377	Hill, Stanley K.	Reg. No. 37,348	Parker, J. Kevin	Reg. No. 33,034
Bischoff, Timothy B.	Reg. No. 39,630	Jackson, Hubert A.	Reg. No. 47,070	Perick, Margaret M.	Reg. No. 42,889
Bisson, Richard E.	Reg. No. 38,896	Jurkovich, Paul J.	Reg. No. 44,813	Proctor, David C.	Reg. No. 47,157
Black, David W.	Reg. No. 42,331	Kalin, Jagot M.	Reg. No. 37,650	Pratt, William F.	Reg. No. 33,993
Bryman, Leonide M.	Reg. No. 35,832	Kilmer-Gilberg, Catherine I.	Reg. No. 40,052	Schmitt, Henry W.	Reg. No. 39,622
Brown, Thomas F.	Reg. No. 35,073	Kirch, David J.	Reg. No. 32,146	Schwegman, Michael L.	Reg. No. 25,816
Brooks, Edward A. III	Reg. No. 40,925	Lacy, Rodney L.	Reg. No. 41,156	Scott, John C.	Reg. No. 34,613
Chadwick, Robert A.	Reg. No. 34,477	Lambert, Charles A.	Reg. No. 36,198	Smith, Michael G.	Reg. No. 45,968
Clark, Robert J.	Reg. No. 38,107	Leckman, Dana B.	Reg. No. 40,062	Spicer, Gary I.	Reg. No. 44,458
Cline, Timothy B.	Reg. No. 40,957	Lundberg, Steven W.	Reg. No. 30,568	Staffey, Charles E.	Reg. No. 25,179
Dahl, John M.	Reg. No. 44,639	Meld, Peter C.	Reg. No. 42,822	Storck, Lutz T.	Reg. No. 46,257
Davis, Eduardo E.	Reg. No. 40,594	Melin, Peter L.	Reg. No. 44,894	Terry, Kathleen R.	Reg. No. 31,884
Edmondson, Janet E.	Reg. No. 39,663	Meyer, Robert E.	Reg. No. 33,271	Tong, Viet V.	Reg. No. 45,416
Fiedlerman, Paul J.	Reg. No. 42,546	McCracken, Ann M.	Reg. No. 42,858	Vincent, Ann R.	Reg. No. 37,748
Forrest, Bradley A.	Reg. No. 30,837	Morris, Charles L., Jr.	Reg. No. 33,742	Vogel, Peter J.	Reg. No. 41,563
Ganser, Owen J.	Reg. No. 36,143	Nann, Keith	Reg. No. 44,255	Wagner, Wayne D.	Reg. No. 32,440
Gorych, Joseph H.	Reg. No. 41,791	Nelson, Allen I.	Reg. No. 28,650		

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Full Name of joint inventor number 1: **Aly A. Farag**
Citizenship: **United States of America**
Post Office Address: **1703 Golden Leaf Way
Louisville, KY 40245**

Residence: **Louisville, KY**

Signature: _____
Aly A. Farag

Date: _____

Full Name of joint inventor number 2: **David Tansman**
Citizenship: **United States of America**
Post Office Address: **1816 Kline Ct.
Louisville, KY 40205**

Residence: **Louisville, KY**

Signature: _____
David Tansman

Date: **04-26-01**

X Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 1160.0121US1
Serial No. not assigned
Filing Date: not assigned

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Clark, Barbara J.	Reg. No. 38,107	LeMoine, Dana B.	Reg. No. 40,062	Spicer, Gary J.	Reg. No. 45,453
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Residence: **Louisville, KY**

Signature: _____

Aly A. Farag

Date: _____

Full Name of joint inventor number 2: **David Tasman**
Citizenship: **United States of America**
Post Office Address: **1816 Kline Ct.
Louisville, KY 40205**

Residence: **Louisville, KY**

Signature: _____

David Tasman

Date: **04-26-01**

X Additional inventors are being named on separately numbered sheets, attached hereto.

Amney Docket No.: 1160.012US1
 Serial No. not assigned
 Filing Date: not assigned

I hereby appoint the following attorney(s) and/or parent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sept this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary.

Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

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 Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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